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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/782,596	02/12/2001	Nathaniel M. McCully	07844-413001 / P377	9487

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EXAMINER

STEVENS, ROBERT

ART UNIT PAPER NUMBER

2176

DATE MAILED: 11/29/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/782,596	Applicant(s) MCCULLY, NATHANIEL M.	
	Examiner Robert M. Stevens	Art Unit 2176	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 September 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-16 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-16 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 08 September 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date <u>10/3/05</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This action is responsive to communications: amendment filed 9/8/2005 to the original application filed 2/12/2001 by McCully entitled "Method for Aligning Text to Baseline Grids and to CJK Character Grids".
2. The Office withdraws the previous objections to the specification, in view of the amendment.
3. The Office substantially maintains the previous rejections of claims 1-2, 4-9 and 11-16 under 35 U.S.C. 103(a) as being unpatentable over Neville in view of Spitz, in view of the amendment, with modifications corresponding to any such amendments.
4. The Office substantially maintains the previous rejections of claims 3 and 10 under 35 U.S.C. 103(a) as being unpatentable over Neville in view of Spitz and further in view of Hosoya, in view of the amendment, with modifications corresponding to any such amendments.
5. Claims 1-16 are pending. Claims 1, 8 and 15-16 are independent.

Claim Rejections - 35 USC § 103

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person

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having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. **Claims 1-2, 4-9 and 11-16 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Neville et al (US Patent No. 5,803,629, filed Mar. 14, 1997 and issued Sep. 8, 1998, hereafter referred to as “Neville”) in view of Spitz (US Patent No. 5,245,676, filed Dec. 21, 1989 and issued Sep. 14, 1993, hereafter referred to as “Spitz”).

Regarding independent claim 1, Neville discloses:

A computer program product, stored on a machine-readable medium, comprising instructions operable to cause a programmable processor to:
determine the height of text consisting of a plurality of characters to be arranged within a current line in a grid displayed on a display device; (Fig. 1, Fig. 7-9)
demarcate an arrangement ... if the height of the text is larger than a specified dimension for the grid; (Fig. 1, Fig. 7-9)
set a coordination line within the management region according to a selected coordination mode; (Fig. 1, Fig. 7-9) and
arrange the plurality of characters within the arrangement region while coordinating the plurality of characters with the coordination line. (Fig. 1, Fig. 7-9)

However, Neville does not explicitly disclose:

... ;
... ;
... *the current line and at least one subsequent line ...* ;
... ; and
...

Spitz, though, discloses:

... ;
... ;
... *the current line and at least one subsequent line ...* ; (Fig. 3A-3C)

... ; and
...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spitz for the benefit of Neville, because to do so would have allowed a programmer to determine skew angle, as taught by Spitz in the Abstract and col. 3 lines 60-63. These references were all applicable to the same field of endeavor, i.e., character processing and display.

Regarding claim 2, which is dependent upon claim 1, the limitations of claim 1 have been previously addressed.

However, Neville does not explicitly disclose:

wherein the grid is a frame grid that is movable to a desired position on a page of an electronic document displayed on the display device in order to arrange data to be typeset on the page, the grid having a plurality of lines, each line comprising a plurality of cells.

Spitz, though, discloses:

wherein the grid is a frame grid that is movable to a desired position on a page of an electronic document displayed on the display device in order to arrange data to be typeset on the page, the grid having a plurality of lines, each line comprising a plurality of cells. (Fig. 3A-3C)

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spitz for the benefit of Neville, because to do so would have allowed a programmer to determine skew angle, as taught by Spitz in the Abstract and col. 3 lines 60-63.

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These references were all applicable to the same field of endeavor, i.e., character processing and display.

Regarding claim 4, which is dependent upon claim 1, Neville further discloses:

wherein the specified dimension of the grid is a font point dimension selected when the grid is created by the user on the display device. (Fig. 16 #116, the Office noting that displaying is well known in the art)

Regarding claim 5, which is dependent upon claim 1, Neville further discloses:

wherein the coordination mode comprises a top coordination mode, a midpoint coordination mode, a baseline coordination mode, and a bottom coordination mode. (Fig. 1, Fig. 7-9)

Regarding claim 6, which is dependent upon claim 1, Neville further discloses:

wherein each character in the plurality of characters has an associated embox and the maximum dimension of the current line is the dimension of the largest embox associated with the plurality of characters. (Fig. 1 and Fig. 8)

Regarding claim 7, which is dependent upon claim 6, Neville further discloses:

wherein the embox vertically and horizontally delimits the point dimensions of each character and is an essentially square same surrounding the character glyph. (Fig. 1, Fig. 7-9)

Independent claim 8 is directed to the method performed by the computer instructions of claim 1. As such, claim 8 is substantially similar to claim 1, and therefore likewise rejected.

Claims 9 and 11-14 are substantially similar to claims 2 and 4-7, respectively, and therefore likewise rejected.

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Regarding independent claim 15, Neville discloses:

A desktop publishing system for controlling forced grid line spacing, comprising:
a desktop publishing processing control device provided with a font file, the font file storing character font information for performing typesetting, and with typesetting control means having a control means for forced grid line spacing; (Fig. 1, Fig. 7-9)
a display device displaying data being typeset; (Fig. 16 #114) and input means for user input; (Fig. 16 #110)
the control means for forced grid line spacing being arranged to: (Fig. 16 #120)
determine whether a maximum dimension of a plurality of characters to be arranged according to a selected coordination mode ... displayed on the display device exceeds a specified dimension of the grid; (Fig. 1, Fig. 7-9)
... ; and
arrange the plurality of characters within an arrangement space demarcated by the selected plurality of lines, based on the coordination mode. (Fig. 1, Fig. 7-9)

However, Neville does not explicitly disclose:

... ;
... ;
... ; and
... ;
... ;
... within a current line of a grid ... ;
select a current line and at least one subsequent line; and
...

Spitz, though, discloses:

... ;
... ;
... ; and
... ;
... ;
... within a current line of a grid ... ; (Fig. 3A-3C)

select a current line and at least one subsequent line; (Fig. 3A-3C)
and
...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spitz for the benefit of Neville, because to do so would have allowed a programmer to determine skew angle, as taught by Spitz in the Abstract and col. 3 lines 60-63. These references were all applicable to the same field of endeavor, i.e., character processing and display.

Regarding independent claim 16, Neville discloses:

A method for controlling forced grid line spacing,
composing:
determining whether a maximum dimension of a plurality of characters to
be arranged according to a selected coordination mode ... displayed on a display
device exceeds a specified dimension of the grid; (Fig. 1, Fig. 7-9)
... ; and
arranging the plurality of characters within an arrangement space
demarkated by the selected current line and at least one subsequent line, based on
the selected coordination mode. (Fig. 1, Fig. 7-9)

However, Neville does not explicitly disclose:

... :
... within a current line of a grid...;
selecting a current line and at least one subsequent line; and
...

Spitz, though, discloses:

... :
... within a current line of a grid...; (Fig. 3A-3C)
selecting a current line and at least one subsequent line; (Fig. 3A-3C)
and

...

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Spitz for the benefit of Neville, because to do so would have allowed a programmer to determine skew angle, as taught by Spitz in the Abstract and col. 3 lines 60-63. These references were all applicable to the same field of endeavor, i.e., character processing and display.

8. **Claims 3 and 10 are rejected under 35 U.S.C. 103(a)** as being unpatentable over Neville et al (US Patent No. 5,803,629, filed Mar. 14, 1997 and issued Sep. 8, 1998, hereafter referred to as "Neville") in view of Spitz (US Patent No. 5,245,676, filed Dec. 21, 1989 and issued Sep. 14, 1993, hereafter referred to as "Spitz") and further in view of Hosoya et al (US Patent No. 5,852,447, filed May 17, 1996 and issued Dec. 22, 1998, hereafter referred to as "Hosoya").

Regarding claim 3, which is dependent upon claim 1, the limitations of claim 1 have been previously addressed.

However, Neville does not explicitly disclose:

wherein the grid is a CJK character grid.

Hosoya, though, discloses:

wherein the grid is a CJK character grid. ()

It would have been obvious to one of ordinary skill in the art at the time of the invention to apply the teachings of Hosoya for the benefit of Neville in view of Spitz, because to do so would have allowed a programmer to simply transform character sets, as taught by Hosoya in the col. 1 lines 57-61. These references were all applicable to the same field of endeavor, i.e., character processing and display.

Claim 10 is substantially similar to claim 3, and therefore likewise rejected.

Response to Arguments

9. Applicant's arguments have been fully considered but they are not persuasive. It is noted that Applicant's amendments have changed the scope of the claims.

Regarding the rejections of claims 1-16 under 35 USC 103(a):

Applicant asserts on pages 9-12 that cited references do not teach the recited limitations.

The Office respectfully disagrees with Applicant's assessment of the prior art. The cited passages, as well as the references as a whole, teach these recited limitations. For instance, **regarding claim 1**, the Spitz Figures 3-6 teach the use of more than one line and the Neville Figure 1 teaches the other limitations. Each recited limitation does need not appear in all cited references. For at least these reasons, the Office respectfully maintains its position regarding these rejections of the claims.

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Regarding claim 2, Applicant further argues that Spitz does not teach the use of movable grids.

The Office respectfully disagrees. The grids shown in the Spitz Figures 3A-3C show two lines comprised of cells. Taken together they represent a grid. Also, the lines are labeled as “N” and “N+1”, implying that the line positions and hence the grid positions are movable.

Regarding claims 8, 15 and 16, the issues have been addressed in the discussion of claim 1, above.

The Office therefore substantially maintains the previous rejections of:

a) claims 1-2, 4-9 and 11-16 under 35 U.S.C. 103(a) as being unpatentable over Neville in view of Spitz, in view of the amendment, with modifications corresponding to any amendment changes; and

b) claims 3 and 10 under 35 U.S.C. 103(a) as being unpatentable over Neville in view of Spitz and further in view of Hosoya, in view of the amendment, with modifications corresponding to any amendment changes.

Conclusion

10. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Non-patent Literature

US Patent Application Publications

US Patents

11. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than **SIX MONTHS** from the date of this final action.

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M Stevens whose telephone number is (571) 272-4102. The examiner can normally be reached on M-F 6:00 - 2:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather R. Herndon can be reached on (571) 272-4136. The current fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Additionally, the main number for Technology Center 2100 is (571) 272-2100.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Stevens

Reg. No. 47,972

Art Unit 2176

Date: November 26, 2005

rms

William L. Bashore
WILLIAM BASHORE
PRIMARY EXAMINER
11/27/2005